

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DEBRA BOGGS, Individually and on )  
Behalf of All Others Similarly Situated )  
Persons, )

Plaintiff, )

vs. )

Case No. CIV-12-688-M

CHESAPEAKE ENERGY )  
CORPORATION, et al., )

Defendants. )

RANDALL MICK, individually and on )  
behalf of all others similarly situated, )

Plaintiff, )

vs. )

Case No. CIV-12-792-M

CHESAPEAKE ENERGY )  
CORPORATION, et al., )

Defendants. )

WILLIAM ISAAC BRYANT CASTO, )  
individually and on behalf of all others )  
similarly situated, )

Plaintiff, )

vs. )

Case No. CIV-12-810-M

CHESAPEAKE ENERGY )  
CORPORATION, et al., )

Defendants. )

**ORDER**

As set forth in a separate order issued this date, the Court finds that the related Chesapeake ERISA cases should be consolidated, Kessler Topaz Meltzer & Check, LLP should be appointed interim class counsel, and Nelson, Roselius, Terry & Morton should be appointed interim liaison class counsel. Accordingly,

IT IS HEREBY ORDERED THAT:

1. The following ERISA<sup>1</sup> actions are related actions and are hereby consolidated for all purposes, including pretrial proceedings and trial, pursuant to Federal Rule of Civil Procedure 42(a): (a) *Debra Boggs, Individually and on Behalf of All Others Similarly Situated Persons v. Chesapeake Energy Corp., et al.*, Case No. CIV-12-688-M; (b) *Randall Mick, individually and on behalf of all others similarly situated v. Chesapeake Energy Corp., et al.*, Case No. CIV-12-792-M; and (c) *William Isaac Bryant Casto, individually and on behalf of all others similarly situated v. Chesapeake Energy Corp., et al.*, Case No. CIV-12-810-M (collectively, the “ERISA Actions”). The consolidated action shall hereinafter be referred to in this Order as the “Consolidated ERISA Action.”

2. All papers and documents previously served and filed in the ERISA Actions consolidated herein are deemed a part of the record in the Consolidated ERISA Action.

3. Every pleading filed in this Consolidated ERISA Action, or in any separate action included herein, must bear the following caption:

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<sup>1</sup>Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001, *et seq.*

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

IN RE CHESAPEAKE ENERGY	)	
CORPORATION 2012	)	Lead Case No. CIV-12-688-M
ERISA CLASS LITIGATION	)	

4. The files of these consolidated actions shall be maintained in one file under Lead Case No. CIV-12-688-M.

5. Interim Class Counsel for the conduct of this Consolidated ERISA Action is:

Kessler Topaz Meltzer & Check, LLP  
Edward W. Ciolko  
[eciolko@ktmc.com](mailto:eciolko@ktmc.com)  
Peter A. Muhic  
[pmuhic@ktmc.com](mailto:pmuhic@ktmc.com)  
280 King of Prussia Rd  
Rednor, PA 19087  
Telephone: (610) 667-7706  
Facsimile: (610) 667-7056

6. Interim Liaison Class Counsel for the conduct of this Consolidated ERISA Action is:

Nelson, Roselius, Terry & Morton  
Jason E. Roselius (OBA No. 16721)  
[roselius@nrtlw.com](mailto:roselius@nrtlw.com)  
P.O. Box 138800  
Oklahoma City, Oklahoma 73113  
Telephone: (405) 705-3600  
Facsimile: (405) 705-2573

7. Interim Class Counsel shall be responsible for the coordination of all pre-trial activities, including:

- (a) Speaking on behalf of the plaintiff and the proposed class in all dealings with defendants;
- (b) Preparing, filing, and arguing all law and motion matters, including those related to class certification;

- (c) Encouraging full cooperation and efficiency among all counsel;
- (d) Appearing on behalf of the proposed class at all court conferences;
- (e) Initiating and conducting settlement negotiations with defendants;
- (f) Consulting with and employing experts as necessary;
- (g) Initiating, coordinating, and conducting discovery on behalf of the plaintiff and the proposed class; and
- (h) Performing any other duties necessary for the prosecution of this litigation.

8. Interim Class Counsel and Interim Liaison Class Counsel shall be responsible for coordinating all activities and appearances on behalf of plaintiff and the proposed class and for the dissemination of notices and orders of the Court. No motion, request for discovery, or other pretrial or trial proceedings will be initiated or filed except through Interim Class Counsel and/or Interim Liaison Class Counsel.

9. This Order shall apply to each ERISA action arising out of the same or substantially the same facts and circumstances as the Consolidated ERISA Action, which is subsequently filed in, removed to, or transferred to this Court.

10. If any ERISA case which properly belongs as part of the *In re Chesapeake Energy Corp. 2012 ERISA Class Litig.*, Lead Case No. CIV-12-688-M is hereafter filed in this Court or transferred here from another court, counsel shall call to the attention of the Clerk of the Court the filing or transfer of any such case that might properly be consolidated as part of the *In re Chesapeake Energy Corp. 2012 ERISA Class Litig.*, Lead Case No. CIV-12-688-M, and counsel shall assist in assuring that counsel in subsequent actions receive notice of this Order.

11. The consolidation of these actions is for the procedural and administrative convenience of the Court and the parties and does not constitute a waiver or compromise of any rights the parties would otherwise have.

12. Interim Class Counsel shall file a consolidated complaint ("Consolidated Complaint") no later than forty-five (45) days following the entry of this Order. The Consolidated Complaint shall be deemed the operative complaint, superseding all complaints filed in any of the ERISA Actions.

**IT IS SO ORDERED this 6th day of December, 2012.**

  
VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE